

**Testimony of S. Blair Kauffman  
in SUPPORT of  
S.B. 235, "The Uniform Electronic Legal Material Act"**

Chairman Coleman and Chairman Fox and distinguished members  
of the Judiciary Committee:

My name is Blair Kauffman. I am the director of the Yale Law Library and have worked as a professional law librarian for over 35 years. I have taught legal research courses at Yale for nearly 20 years. I am here in my capacity as a Connecticut resident to speak in support of the S.B. 235, the Uniform Electronic Legal Material Act (known as UELMA), and urge your committee to recommend passage of this act.

UELMA was adopted by the Uniform Law Commission in response to the rapid changes taking place in legal publishing, in which digital formats have replaced print formats as the preferred medium by users and publishers of primary source legal materials. The purpose of this act is to provide users of online legal information with the same level of trustworthiness as users of print counterparts. More specifically, this act provides a legislative framework to assure users of online legal information deemed by a government agency to be official that the source relied upon meets three criteria: (1) it is an authenticated source not subject to alteration; (2) it is preserved in either an electronic or print format; and (3) it is accessible for use of the public on a permanent basis. This act has the support of all relevant informed professional bodies that have studied the issue it seeks to address including the American Bar Association, the Connecticut Bar Association, the American Association of Law Libraries and the New England and Southern New England Association of Law Libraries. It deserves the support of your committee.

Major changes in law library collection development policies underscore the need for adoption of UELMA. A growing number of law libraries no longer collect a wide range of primary source legal content in print. Rather, in response to user preferences and limited budgets, libraries substitute online access for print versions of primary source materials. For example, the Harvard Law Library, which has the most substantial collection development

budget of any academic law library in the world, does not collect print versions of public domain government documents when those materials are available in stable digital formats. Thus, researchers at the most comprehensive law libraries in the world often are limited to online resources for a wide-range of primary source legal materials, which once were available in print formats. The framework provided by UELMA will lead researchers to authenticated sources that can be relied upon and be preserved and accessible to future users.

Changes in the publication practices of government agencies are underscored by Connecticut's recent passage of P.A. 12-92, which transitions the publication of Connecticut state agency regulations to an online format, effective July 1, 2013. The designation of these digitally published versions of Connecticut regulations as "official", with the added requirement of public access, demands a framework such as the one envisioned by UELMA to assure these regulations can be relied upon as authentic, preserved and made accessible to future users.

UELMA was adopted by the Uniform Law Commission just over one year ago and already has been enacted by two states, California and Colorado. It is pending in five additional states, including Connecticut. The uniform law approach to passing legislation on this matter makes good sense, because it assures a consistent, reliable approach for addressing an important issue of concern to citizens in all fifty states. Connecticut should continue its leadership role in legal publishing, which extends to the pre-revolutionary era, and enact UELMA into law.

I urge this committee to take the important next step in moving Senate Bill No. 235 forward by recommending this important bill be passed without delay.

Thank you very much for your consideration.